

Duane Morris

DUANE MORRIS LLP
ONE LIBERTY PLACE
PHILADELPHIA, PA 19103-7396
PHONE: 215.979.1000
FAX: 215.979.1020

FACSIMILE TRANSMITTAL SHEET

TO: Examiner Ogden

FIRM/COMPANY: USPTO

FACSIMILE NUMBER: 571.273.1322

**CONFIRMATION
TELEPHONE:**

FROM: Richard A. Paikoff

DIRECT DIAL: 215.979.1853

DATE: February 9, 2004

USER NUMBER: 9305

FILE NUMBER: D5228-00021

TOTAL # OF PAGES: 9
(INCLUDING COVERSHEET)

MESSAGE: U.S. Patent Application Serial No. 10/068,364⁵ *116.*
STABLE EMULSIONS

Regarding our talk of this morning, attached is the Amendment and Response. Thank you.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 215.979.1021.

UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 3610-10-1 (D5228-00021)
In Re: Application of David James
Serial No.: 10/068,364
Filed: February 5, 2002
For: STABLE EMULSIONS

The Patent Office acknowledges and has stamped hereon the date of receipt of the following items: Transmittal Form; Fee Transmittal; Amendment and Response; Request for Extension; Authorized to charge Deposit Account No. 04-1679 in the amount of \$420 for two-month extension; Return Postcard

paikoff/mfm

November 25, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 3610-10-1 (D5228-00021)
In Re: Application of David James
Serial No.: 10/068,364
Filed: February 5, 2002
For: STABLE EMULSIONS



The Patent Office acknowledges and has stamped hereon the date of receipt of the following items: Transmittal Form; Fee Transmittal; Amendment and Response; Request for Extension; Authorized to charge Deposit Account No. 04-1679 in the amount of \$420 for two-month extension; Return Postcard

November 25, 2003

paikoff/mfm

PTO/SB/21 (03-03)

Approved for use through 04/30/2003, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/068,364 ⁵ <i>NIS</i>	
	Filing Date	February 5, 2002	
	First Named Inventor	David James	
	Art Unit	1751	
	Examiner Name	Nicholas Ogden, Jr.	
Total Number of Pages in This Submission	7	Attorney Docket Number	3610-10-1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Richard A. Palkoff
Signature	<i>Richard A. Palkoff</i>
Date	November 25, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: November 25, 2003

Typed or printed	Richard A. Palkoff	Date	November 25, 2003
Signature	<i>Richard A. Palkoff</i>		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

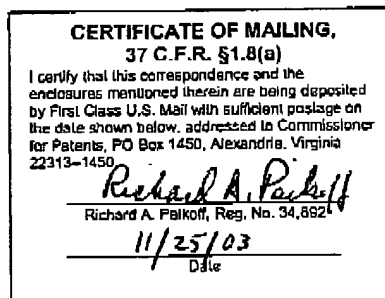
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/068,364⁵ Confirmation No. 8492
Applicant : David James
Filed : February 5, 2002
TC/A.U. : 1751

Docket No. : 3610-10-1 (D5228-00021)
Customer No. : 08933

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In response to the Office Action of June 27, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.